

REMARKS

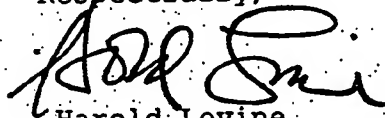
In the Advisory Action of May 28, 2003, the final rejection of the then-existing claim was re-asserted, the Action indicating that "the request for reconsideration was been considered but does not place the application in condition for allowance because, for example the consumer requested for a 'black coffee' then marking (20) indicates that the contents is a black coffee will be pressed which is considered equivalent to 'correlation with identity of the user' as claimed. Also, the phrase 'identifying penetrable apertures' does not mean apertures because that phrase means the surface is normally closed but can be penetrable into apertures."

In view of the foregoing, Applicant has amended the claim as noted above to make it more certain that the container is marked to identify the particular person for whom it is intended, not the contents of the container. Thus, if there were three persons (persons A, B and C) and three cups of black coffee, each of the containers would be marked differently. The first to show identity with person A, another to show identity with person B, and another to show identity with person C. In addition, if person A ordered two cups of coffee, one black without sugar and the other with sugar and creme, both such cups would be marked identically. This is in marked contrast with the cited art.

Applicant believes that the remaining concern (which related

to the phrase "identifying penetrable apertures") has been alleviated by changing the word "apertures" to "penetrable regions". Accordingly, and in view of the forgoing, it is believed that the claim is in condition for allowance and it is therefore respectfully requested that this amendment be entered and that the application be advanced to issue.

Respectfully,




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CERTIFICATE OF MAILING

I hereby certify that the above-noted paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop AF, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on June 25, 2003.

  
Harold Levine